

STATE OF SOUTH CAROLINA

(Caption of Case)

Joint Application of Frontier Communications Corporation, New Communications of the Carolinas, Inc., New Communications Online, and Long Distance LLC and Verizon Enterprise Solutions LLC for Approval of the Sale of Assets and the Transfer of Authority and Certificates

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2009 - 220 - C

217845
218745

SA

8-25-09

1201 pm

(Please type or print)

Submitted by: Charles D. Shults, Esq.

SC Bar Number:

Address: OSJA, HQ, US Army Training Ctr. &
Fort Jackson, 9475 Kershaw Road
Fort Jackson, SC 29207

Telephone: 803-751-6196

Fax: 803-751-6848

Other:

Email: charles.shults@us.army.mil

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☒ Request for item to be placed on Commission's Agenda expeditiously

☒ Other: Motion for Pro Hac Vice Admission of Terrance A. Spann

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input checked="" type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	



DEPARTMENT OF THE ARMY
UNITED STATES ARMY LEGAL SERVICES AGENCY
901 NORTH STUART STREET
ARLINGTON VA 22202-1837

REPLY TO
ATTENTION OF

August 21, 2009

Regulatory Law and IP Division
U 4191

Subject: Docket 2009-220-C

Charles L.S. Terreni
Chief Clerk and Administrator
SC Public Service Commission
PO Drawer 11649 (29211)
101 Executive Center Drive
Suite 100
Columbia, SC 29210

RECEIVED
2009 AUG 25 11:10:15
SC PUBLIC SERVICE
COMMISSION

Re: In the Matter of the Joint Application of Frontier Communications Corporation, New Communications of the Carolinas, Incorporated, New Communications Online and Long Distance LLC and Verizon Enterprise Solutions, LLC for Approval of the Sale of Assets and the Transfer of Authority and Certificates
Docket No. 2009-220-C

Dear Mr. Terreni:

On behalf of the United States Department of Defense and all other Federal Executive Agencies (DOD/FEA), in the above-referenced proceeding, enclosed for filing please find, dated August 20, 2009, the original and 11 copies of a Motion and Application for *Pro Hac Vice* Admission of Terrance A. Spann, an accompanying proposed Order Granting *Pro Hac Vice* Admission, and an Affidavit of the applicant Terrance A. Spann. This application package was sent this day, together with the \$250 application fee to the South Carolina Supreme Court.

By copy of this letter and certificate of service, a copy is being served on all parties of record. If you should have any questions please contact me at (703) 696-2852.

Sincerely,


TERRANCE A. SPANN
Attorney for DOD/FEA

Enclosure:

Motion/Application/Proposed Order/Affidavit, dated 8/20/09

217845
218745

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2009-220-C

RECEIVED
JUL 20 2009
CLERK OF COURT
JUL 20 2009

IN RE: Joint Application of Frontier
Communications Corporation, New
Communications of the Carolinas, Inc.,
New Communications Online, and Long
Distance, LLC, and Verizon Enterprise
Solutions LLC for Approval of the Sale of
Assets and the Transfer of Authority and
Certificates

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**MOTION FOR PRO HAC VICE
ADMISSION OF TERRANCE A. SPANN**

Charles D. Shults, Esquire on behalf of the Department Defense and all other Federal Executive Agencies (DOD/FEA) respectfully moves before the South Carolina Public Service Commission (the "Commission") to permit Terrance A. Spann to practice *pro hac vice* before the Commission in the above-referenced matter. Pursuant to Rule 404 of the South Carolina Appellate Court Rules, Mr. Spann, together with the undersigned counsel of record, has filed an application for admission *pro hac vice* with the Supreme Court of South Carolina. Exhibit A to this Motion is a file-stamped original application, indicating that the application and the \$250.00 filing fee have been filed with the Supreme Court

Respectfully submitted this 20th day of August, 2009.



Charles D. Shults, Esquire
OSJA, HQ, US Army Training
Center and Fort Jackson
9475 Kershaw Rd.
Ft. Jackson, SC 29207-5000
(803) 751-6196
(803) 751-6848 (facsimile)
Attorney for DOD/FEA

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2009-220-C

RECEIVED
PUBLIC SERVICE
COMMISSION
SOUTH CAROLINA
JAN 14 2010

IN RE: Joint Application of Frontier }
Communications Corporation New }
Communications of the Carolinas, Inc., }
New Communications Online, and Long }
Distance, LLC, and Verizon Enterprise }
Solutions LLC for Approval of the Sale of }
Assets and the Transfer of Authority and }
Certificates }

AFFIDAVIT OF
TERRANCE A. SPANN


Come now Terrance A. Spann, applicant herein and respectfully represents the following under oath:

1. Applicant is an attorney with the United States Army Legal Services Agency (USALSA), Regulatory Law and Intellectual Property Division, 901 N. Stuart St., Suite 700, Arlington, VA, 22203, (phone 703-696-2852), (Fax 703-696-2960).
2. Applicant has been assigned as counsel for the Department of Defense and all other Federal Executive Agencies (DOD/FEA) in the above-referenced action now pending before the South Carolina Public Service Commission.
3. Since May 18, 1987, Applicant has been, and presently is, a member in good standing of the bar of the State of Wisconsin. Attached is a certificate of good standing.

4. Applicant has been admitted to practice before the following courts: State of Wisconsin – in Supreme Court (1987) and United States District Court - Western and Eastern Districts of Wisconsin (1987).
5. Applicant presently is not subject to any suspension or disbarment proceedings and has not been formally notified of any complaints pending before a disciplinary agency.
6. Applicant has never had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked.
7. Applicant has never had any certificate or privilege to appear and practice before the any administrative body suspended or revoked.
8. Local counsel of record associated with applicant in this case is Charles D. Shultz, OSJA, HQ, U.S. Army Training Center and Fort Jackson, 9475 Kershaw Road, Fort Jackson, SC 29207-5000, Telephone Number 803-751-6196.
9. Applicant previously filed an application and was granted admission to appear *pro hac vice* before the Public Service Commission of South Carolina in Docket No 1999-469-C.
10. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize himself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

11. Applicant respectfully requests to be admitted to practice in the above-named court for this case only.

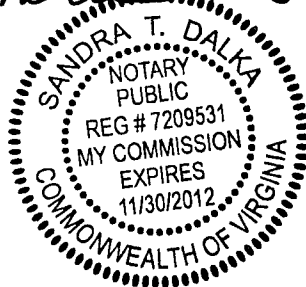
Dated this 20 day of August 2009


APPLICANT/AFFIANT
TERRANCE A. SPANN

SWORN TO AND SUBSCRIBED

before me this 20 day of August 2009





ARLINGTON
VA
The foregoing instrument was acknowledged
before me this 20 day of AUGUST
2009, by TERRANCE SPANN
(name of person seeking acknowledgment)
My commission expires: 11/30/2012

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2009-220-C

IN RE: Joint Application of Frontier
Communications Corporation New
Communications of the Carolinas, Inc.,
New Communications Online, and Long
Distance, LLC, and Verizon Enterprise
Solutions LLC for Approval of the Sale of
Assets and the Transfer of Authority and
Certificates

CERTIFICATE OF SERVICE

I, the undersigned, an employee of the United States Army, counsel for the Department of Defense and all other federal executive agencies (DOD/FEA), in the above referenced, do hereby certify that I have service the foregoing Motion proceeding for Pro Hac Vice Admission of and its attachments by causing to to be deposited in the U.S. mail, postage prepaid, Terrance A. Spann, on this 20th day of August 2009, to the following:

Nanette S. Edwards
Chief Counsel and Director of Legal
Services
S.C. Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia S. 29201

C. Dukes Scott, Executive Director
S.C. Office Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29291

M. John Bowen, Jr.
Margaret M. Fox

Sue-Ann Gerald Shannon
McNair Law Firm, PA
PO Box 11390
Columbia SC 29211


Stan Bugner
Verizon
1301 Gervais Street, Suite 825
Columbia, SC 29201

De O-Roark
Vice President & General Counsel
Southeast Region
Verizon
5055 North Point parkway
Alpharetta, GA 30022

Steven W. Hamm, Esquire
Richardson Plowden and Robinson, P.A.
Post Office Drawer 7788
Columbia, SC 29202

Jo Anne Wessinger Hill, Counsel
Richardson Plowden and Robinson, P.A.
Post Office Drawer 7788
1600 Marion Street
Columbia, SC 29202

Kevin Saville, Counsel
Frontier Communications
2378 Wilshire Blvd.
Mound, MN 55364


Terrance A. Spann

Dated 20 August 2009

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*
IN THE STATE OF SOUTH CAROLINA**

IN RE: Joint Application of Frontier
Communications Corporation, New
Communications of the Carolinas, Inc.,
New Communications Online, and Long
Distance, LLC, and Verizon Enterprise
Solutions LLC for Approval of the Sale of
Assets and the Transfer of Authority and
Certificates

Plaintiff

2009-220-C

South Carolina Public Service
Commission

Case No.

Court

vs.

N/A

Defendant

Mailing Address of Court: 101 Executive Center Dr., Suite 100
Columbia SC 29210

Comes now Terrance A. Spann applicant herein, and respectfully represent the following:

1. Applicant resides at:
4509 18th Street North
Street Address

Arlington
City

Arlington
County

Virginia
State

22207
Zip Code

571-271-9317
Telephone

2. Applicant is an attorney employed by the Department of the United States Army, United States Army Legal Services Agency, Regulatory Law and Intellectual Property Division with offices at

901 N. Stuart Street.
Street Address

Arlington
City

Arlington
County

Virginia
State

22203
Zip Code

703-696-2852
Telephone

(703) 696-2960
Fax Number

3. Applicant has been assigned to provide legal representation to the Department of Defense and all other Federal Executive Agencies ("DOD/FEA") in connection with the above referenced case now pending before the Public Service Commission of South Carolina.
4. Since May 18, 1987, applicant has been, and presently is, a member in good standing of the bar of the highest court of the State of Wisconsin where applicant regularly practices law. Attached is a certificate of good standing.
5. Applicant has been admitted to practice before the following courts:

Court:
State of Wisconsin in Supreme Court

Date Admitted:
5/18/1987

United States District Court

- Eastern District of Wisconsin
- Western District of Wisconsin

5/19/87
6/30/87

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below: (List any court named in the preceding paragraph that applicant is no longer admitted to practice before.) N/A

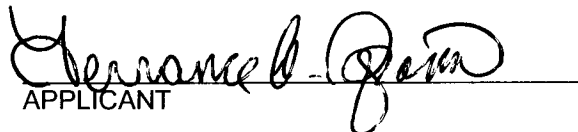
6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court, date): N/A
7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order or denial revocation): N/A
8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date administrative body, date of suspension and reinstatement): N/A
9. Local counsel of record associated with applicant in this case is Charles D. Shults of the Department of the Army, which has offices at:

<u>Fort Jackson</u>	<u>SC</u>	<u>29202</u>
City	State	Zip Code

If applicable list all other firms/attorneys you are associated with in this matter. N/A

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (Docket No 1997-469-C before the Public Service Commission of South Carolina; application was filed on or about 14 March 2000 and was granted; proceeding has concluded; the local counsel of record was the same counsel of record in this application, Charles D. Shults. N/A
11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.
12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

DATED this 20th day of August, 2009.


APPLICANT

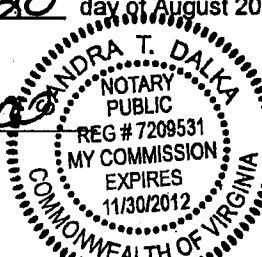
VERIFICATION

STATE OF VIRGINIA

COUNTY OF ARLINGTON

I, TERRANCE A. SPANN, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.


APPLICANT/AFFIANT

Subscribed and sworn to before me this 20 day of August 2009, County/City of ARLINGTON
Commonwealth/State of VA
The foregoing instrument was acknowledged before me this 20th day of August 2009, by TERRANCE SPANN
(name of person seeking acknowledgment)

Notary Public
My commission expires: 11/30/2012

LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 20th day of August 2009


LOCAL COUNSEL OF RECORD
CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO BOX 11330, Columbia, SC 29211, accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 20 day of August 2009.


APPLICANT/AFFIANT



David R. Schanker
Clerk

WISCONSIN SUPREME COURT

OFFICE OF THE CLERK

110 E. Main Street, Suite 215
P.O. Box 1688
Madison, WI 53701-1688

Telephone: 608-266-1880
TTY: 800-947-3529
Fax: 608-267-0640
<http://www.wicourts.gov>

CERTIFICATE OF GOOD STANDING

I, David R. Schanker, Clerk of the Supreme Court of Wisconsin certify that the records of this office show that:

TERRANCE A. SPANN

was admitted to practice as an attorney within this state on May 18, 1987 and is presently in good standing in this court.

Dated: August 19, 2009

A handwritten signature in dark ink, appearing to be "DS" followed by a horizontal line.

DAVID R. SCHANKER
Clerk of Supreme Court

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2009-220-C

RECEIVED
SOUTH CAROLINA
PUBLIC SERVICE COMMISSION
JAN 14 2010

IN RE: Joint Application of Frontier }
Communications Corporation New }
Communications of the Carolinas, Inc., }
New Communications Online, and Long }
Distance, LLC, and Verizon Enterprise }
Solutions LLC for Approval of the Sale of }
Assets and the Transfer of Authority and }
Certificates }

**ORDER FOR PRO HAC VICE
ADMISSION OF TERRANCE A. SPANN**

This matter comes before the Public Service Commission of South Carolina (the "Commission") on the Motion of Charles D. Shults, Esquire on behalf of the Department of Defense and all other Federal Agencies ("DOD/FEA") for Admission of Terrance A. Spann to practice before the Commission *pro hac vice*. Mr. Shults petitions for Terrance A. Spann to appear before the Commission as counsel for DOD/FEA in the hearing for Docket No. 2009-220-C.

Mr. Spann is employed by the Department of the Army, and is a member in good standing of the Bar of the State of Wisconsin according to the certificate attached to the application. Additionally, Mr. Spann has included an affirmation that he will comply with the applicable statutes, law and rules of the State of South Carolina, that he is familiar with and will comply with the South Carolina Rules of Professional Conduct, and that he will submit to the jurisdiction of the South Carolina Courts on Lawyer Conduct.

Local counsel of record associated with Mr. Spann is Charles D. Shults also employed by the Department of the Army and is located at the following address: OSJA, HQ, US Army Training Center and Fort Jackson, 9475 Kershaw Rd., Fort Jackson, SC, 29207-5000.

It appears to this Court that the proper *pro hac vice* application of Terrance A. Spann has been filed with the South Carolina Supreme Court and that the necessary affirmation has been made. The Deputy Clerk for Bar Admissions has certified receipt of the filing and that the filing fee has been paid. We believe that Mr. Spann meets the qualifications for admission to practice before the Court at the hearing in Docket No. 2009-220-C *pro hac vice* and that he should be so admitted.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Terrance A. Spann , Esquire, is a member in good standing of the Bar of the State of Wisconsin and through Motion of local counsel, Terrance A. Spann has moved for his *pro hac vice* admission to practice before the Court at the hearing on Docket No. 2009-220-C
2. Proper application has been filed, the filing fee has been paid, and the necessary affirmation has been made, as required by SCACR 404.
3. Mr. Spann has associated South Carolina counsel.
4. The Motion for *pro hac vice* admission in this proceeding should be granted.

ORDER

The Motion of Charles D. Shults, Esquire, for *pro hac vice* admission of Terrance A. Spann to practice before the Public Service Commission of South Carolina at the hearing on Docket No. 2009-220-C is granted.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

This ____ day of _____ 2009.

Commissioner

ATTEST:

Clerk

(SEAL)